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Co-counsel for Defendant

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,)	Case No.: No: CR-08-00420-PJH-1
Plaintiff,)	
)	STIPULATION/ APPLICATION AND
vs.)	ORDER MODIFYING CONDITIONS
)	OF RELEASE
RUSSELL A. LYLES, JR.,)	
Defendant.)	
)	

OVERVIEW

On May 5, 2010, this Court ordered Defendant Lyles released subject to conditions that included home detention and electronic monitoring.

On July 14, 2010, Lyles entered into a plea agreement. Under the terms of the plea agreement, the charges that potentially could have led to the imposition of mandatory minimum sentences are to be dismissed. In addition, the parties agreed to an offense level (13) that, if accepted by the court, would make it unlikely that Lyles will be sentenced to a term longer than the time he has already served in custody.

1 In light of his plea agreement, Lyles respectfully requests that court amend
2 his release order to delete the home detention and electronic monitoring conditions.

3 The pretrial services officer responsible for monitoring Lyles supports this
4 request.

5 Assistant United States Attorney Derek Owens does not oppose this request.

6 In the event that this order is granted, Defendant intends to withdraw his
7 pending motion to change the conditions of his release and submit an amended
8 motion concerning the non-association condition, which will not be affected by an
9 order granting this unopposed motion

10
11 DATED: July 27, 2010

12
13 Respectfully Submitted,

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15 /s/ Michael Clough
16 MICHAEL CLOUGH
17 COUNSEL FOR DEFENDANT

18 /s/ Derek Owens
19 DEREK OWENS
20 ASSISTANT U.S. ATTORNEY

ORDER

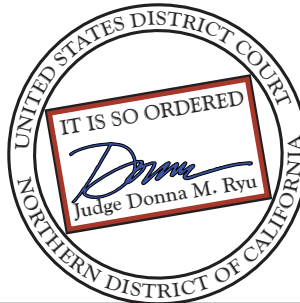
Pursuant to Title 18 United States Code § 3142, the defendant's conditions of release are modified as follows:

The previously ordered home detention and electronic monitoring conditions are deleted.

In all other respects the May 5, 2010 Order Setting Conditions of Release remains in full force and effect.

IT IS SO ORDERED.

DATED: 7/28/10



DONNA M. RYU
UNITED STATES MAGISTRATE JUDGE

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UNITED STATES DISTRICT COURT
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UNITED STATES OF AMERICA,)	Case No.: No: CR-08-00420-PJH-1
Plaintiff,)	
)	STIPULATION/ APPLICATION AND
vs.)	(PROPOSED) ORDER MODIFYING
)	CONDITIONS OF RELEASE
RUSSELL A. LYLES, JR.,)	
Defendant.)	

PROPOSED ORDER

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IT IS SO ORDERED.

DATED: _____

DONNA M. RYU
UNITED STATES MAGISTRATE JUDGE